

New Citizen Communication

Meredith, Maureen

From: Loayza, Katherine [REDACTED]
Sent: Monday, September 08, 2008 11:47 AM
To: Rusthoven, Jerry; Guemsey, Greg
Cc: Meredith, Maureen; Lynn and Martin Leifker; Nias, Jim
Subject: Conditional Overlay for rezoning of the Waters and Donley/Hooks tracts - West Oak Hill Neighborhood Plan
Attachments: Conditional Overlay Tracts 12 and 12a.doc

Jerry,

I am attaching the requested conditional overlay language that I gave you at the Council meeting on August 21. We have been meeting and talking to all the councilmembers about the request for an overlay with any rezoning of these two tracts of land (12a and 12).

I have spoken with George Zapalac about the specific issue of prohibiting access to a public r.o.w. through a private easement and he indicated that the City has done this before, therefore, it should not be an issue.

We want to make sure that staff is aware that this is still a major issue with the rezoning of these tracts. Please call me if you have any questions or if you have any new information to share on this matter.

Thank you,

<<Conditional Overlay Tracts 12 and 12a.doc>>

Katherine P. Loayza
Land Use Consultant
Jackson Walker L.L.P.
100 Congress Avenue, Suite 1100
Austin, Texas 78701
(512) 236-2259
(512) 691-4412 (fax)
[REDACTED]

10/14/2008

West Oak Hill Neighborhood Plan: Tracts 12 and 12a

On behalf of Lynn and Martin Leifker, 6733 Hot Springs Drive, we are requesting that with ANY proposed rezoning of the Donley Hooks tract (12) and the Waters tract (12a), a Conditional Overlay be imposed as follows:

“Prohibit access to Hot Springs/Rotan Drive through Lot 10, Block B of the amended plat of Shadowridge Crossing Section 9, from Tract 12a (Waters Tract) at the time of site development for more than one residential dwelling and from Tract 12 (Donley/Hooks tract) at the time of site development for more than one residential dwelling.”

The need for the overlay is due to the fact that without it, there is no planning mechanism to prohibit access through the Leifker's private property via the access easement in place for the benefit of the Donley/Hooks and Waters tracts, at the expense of the Leifker's personal safety and use of their property. In essence, a portion of their property will be used as a street.

Thank you for your consideration of this conditional overlay.

Katherine Loayza, agent for
Lynn and Martin Leifker (899-8535 home)
6733 Hot Springs Drive

Land Use Consultant,
Jackson Walker, L.L.P.
236-2259

September 9, 2008

Maureen Meredith, Principle Planner
City of Austin
Oak Hill Neighborhood Planning
maureen.meredith@ci.austin.tx.us

Regarding: Oak Hill Combined Neighborhood Plan
Contested FLUM Tracts AE- Reynolds Road
Beckett Estates

Property: Michael E. and Joan E. Foster
5711 Reynolds Road
TCT 1 Thornton Harry K Subdivision

Dear Ms. Meredith,

We enjoy living in Beckett Estates at 5711 Reynolds Road. The 1.78 acre tract is less than two miles travel to our business, Foster Family Dentistry, on Highway 290 West. Beckett Estates has easy access to shopping, medical services, schools, churches, and entertainment. The large lots afford a quiet, laid-back neighborhood that is unique. On our tract, we have enjoyed watching foxes bear kits under our barn, the owl that hoots at night, deer play in the wildflower meadow in our back yard, and many resident and migrating birds that come to our backyard feeders. The large lots also favor a nice yard for our three dogs to run, play and bark without disturbing nearby neighbors. We have invested thousands of dollars in Alamo Systemic Fungicide to ward-off the spread of Oak Wilt into the many grand oaks on our property. To move from 5711 Reynolds Road and try to replace what we have would be next to impossible without moving considerably far out of the city limits and away from the conveniences that we are accustomed to be close to, including our own business.

Our property, is on the south side of Reynolds Road, but does not border William Cannon. It backs up to 6807 Ridge Oak which does border William Cannon and is a contested property. As much as we enjoy living in our home, we will not stay if our back yard borders the back of a business or professional office building / Mixed Used tract. As a small business owner, we are well aware of the traffic any small business brings, as well as noise and security issues. The residential community behind our office on Highway 290 has often complained of dumpster pick-up or truck unloading noise at night from the Emerald Garden and other businesses and there is a large creek easement between the houses and the businesses! Private homes and business do not mix. If the contested properties are approved for Mixed Use allowing retail or office development, our property at 5711 Reynolds Road needs to be included in the rezoning. The entire block needs to be rezoned as an **entire unit**, not split up with single owner

homes backed up to Mixed Used businesses and retail. For Beckett Estates as a Residential Rural unit, I think this is sad for the homeowners on the north side of Reynolds Road as well as Ridge Oak and Westview.

If Beckett Estates remains as a whole entity, Single Family Rural Residential, I truly believe homeowners will redevelop and improve their properties as they realize the real estate gem they have. (Many of us have refrained from home improvements for fear of losing their home for this very rezoning issue).

Please note the attached map indicating 5711 Reynolds Road in orange, one of three houses on the south side of Reynolds Road that are not in the mixed use zoning on the FLUM.

In review, we are neutral in any decision. We like where we live and plan to stay, Rural Residential. However, if Mixed Use accepted by council, the entire block (including our property) needs to be rezoned, not a partial block.

If you have any questions or need further information, do not hesitate to contact us.
Office (512)892-2273 Home (512)892-1996

Sincerely,

Michael E. Foster, DDS

Joan E. Foster

CC: Mayor Pro Tem Brewster McCracken
Council Member Lee Leffingwell
Council Member Mike Martinez
Council Member Randi Shade
Council Member Laura Morrison
Council Member Sheryl Cole
Maureen Meredith, Principal Planner

Meredith, Maureen

From: colin@sosalliance.org
Sent: Wednesday, September 17, 2008 10:50 AM
To: Wynn, Will; Morrison, Laura; Shade, Randi; Martinez, Mike [Council Member]; McCracken, Brewster, Cole, Sheryl; Leffingwell, Lee
Cc: Guernsey, Greg; Meredith, Maureen; Moore, Andrew; May, Rachel; Schooler, Larry; Levinski, Robert; Bailey, Rich; Coleman, Glen; McDonald, Stephanie
Subject: Oak Hill contested tracts

September 17rd, 2008

Mayor Will Wynn
Austin City Council Members
Greg Guernsey and Maureen Meredith
Neighborhood Planning and Zoning
City of Austin

Dear Mayor Wynn et al:

On August 28th, we submitted a list of 756 individual properties as "contested" for the Oak Hill Neighborhood Plan. While we were under the impression that we would not get to speak on "contested" tracts, we wanted to get the list in to preserve the opportunity to question the wisdom of the Future Land Use Map as a whole at a later public hearing. The list is of parcels where height limits or protective overlays might feasibly be applied to protect the character and quality of Oak Hill and Williamson Creek.

The one criterion for our submitted list was likelihood of an increase in potential development. We began our effort with city staff's own analysis of parcels that could be "possibly upzoned." Those staff-identified parcels are 346 of the 756 on our list. The remaining parcels are currently designated for land uses in the FLUM that can allow for more development than existing zoning.

We are contesting tracts because we want the Future Land Use Map to be a guide for implementing the goals of the plan rather than basis for support of zoning changes that increase urban development in the Barton Springs watershed.

We would like to point out that developers seeking to urbanize Oak Hill in years to come will greatly prefer, should they need a zoning change, to say that their new, big development is allowed under the Future Land Use Map and that they don't need a Neighborhood Plan Amendment. It is in this way that the Future Land Use Map really undermines the intent of the plan's descriptive text. We do recognize parts of the Future Land Use Map that reflect residents' desires, such as proposed RR zoning on a number of tracts.

Given the lack of information on the cumulative impact of the land use designations of the FLUM, all too many FLUM recommendations are likely to escape effective scrutiny. That is why we cast a wide net in drafting our contested list. With additional research, we may be able to prune this list down further to a smaller number of parcels.

We would stress that you have yet to hear testimony on the contested cases, so it is proper for our concerns about these parcels to be heard at that time.

We believe that staff could readily create and publish a map of the 756 submitted parcels, showing

their location relative to the 41 "contested tracts" already on the list for council consideration. The parcel list we submitted was data from the city, so it should plug right in to the city's GIS program. We believe there will be much overlap between these two lists.

We would also like to see a separate color code to indicate which parcels the staff analysis considers to be likely for "upzoning." Such a map will help tell the public the big picture of what types of changes and more urban development could be possible under the current Future Land Use Map.

One further note: staff has insisted that MF-3 is likely the densest that multi-family will be built in Oak Hill. We request that a restriction of no multi-family above MF-3 be included in the FLUM, along with community requests for height limits and application of the Hill Country Roadway Ordinance.

Thank you for your consideration.

Colin Clark
Save Our Springs Alliance

Meredith, Maureen

From: clint tatum [clinttatum@austin.rr.com]
Sent: Tuesday, October 07, 2008 12:22 PM
To: Meredith, Maureen
Subject: RE: Non-conforming uses info

Hi Maureen,
Please take us off the contested list for 6154 W U S HY 290.
Thank you!
Clint Tatum

- TRACT 216

From: Meredith, Maureen [mailto:Maureen.Meredith@ci.austin.tx.us]
Sent: Tuesday, July 08, 2008 4:33 PM
To: clint tatum
Subject: RE: Non-conforming uses info

Clint:

The CO says the uses are prohibited on the portion of the property within the 100 year flood plain, so if the property owner does a study that shows the property is not within the 100 year flood plain, then they can have the use on the property.

Maureen Meredith, Principal Planner
City of Austin, Neighborhood Planning and Zoning
505 Barton Springs Road, 5th Floor
Austin, TX 78704
Phone: (512) 974-2695/FAX: (512) 974-7757
maureen.meredith@ci.austin.tx.us
www.ci.austin.tx.us/planning

From: clint tatum [mailto:clinttatum@austin.rr.com]
Sent: Tuesday, July 08, 2008 3:04 PM
To: Meredith, Maureen
Subject: RE: Non-conforming uses info

The GIS shows FEMA approximate floodplain covers part of ours and 215.
I had a friend research the latest FEMA which was updated in 2002 but also shows the 1997 and both show our property is not within the floodplain. I attached a file that shows the actual floodplain lines.

From: Meredith, Maureen [mailto:Maureen.Meredith@ci.austin.tx.us]
Sent: Tuesday, July 08, 2008 11:37 AM
To: clint tatum
Subject: RE: Non-conforming uses info

You should be able to find this on the City's GIS webpage.

Maureen Meredith, Principal Planner
City of Austin, Neighborhood Planning and Zoning
505 Barton Springs Road, 5th Floor

10/14/2008

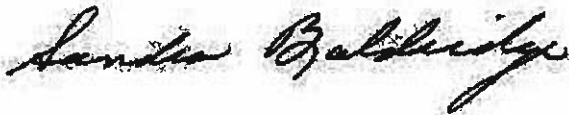
Meredith, Maureen

From: Sandra Baldrige [sbald@sbcglobal.net]
Sent: Tuesday, October 14, 2008 10:17 AM
To: Meredith, Maureen
Subject: Beckett Estates
Attachments: sandysig.JPG

Dear Maureen, I have received several communications from Laura Faulk, who represents the owners in the C. E. Beckett Estates subdivision. Your comments regarding the OHAN August minutes is correct – it reads more as support for the NMU Land Use than it does for the HOA. That certainly wasn't meant to be that way, but those minutes were read and approved at the September meeting, which Laura did not attend. We will be clarifying those minutes to show support for the neighborhood to keep the contested tracts immediately fronting on William Cannon as Rural Residential – Large Lot, and not NMU which is being sought by the land owner.

I apologize for the confusion, and I assure you it will be corrected at the next OHAN meeting on November 12, 2008.

Respectfully,

A handwritten signature in black ink, appearing to read "Sandra Baldrige". The signature is fluid and cursive, with the first name "Sandra" written in a larger, more prominent script than the last name "Baldrige".

Sandra Baldrige
Secretary

10/14/2008



Oak Hill Association of Neighborhoods
Member Meeting Minutes
Wednesday, August 6, 2008
Austin Community College, Pinnacle Campus 10th Floor
Austin, Texas

Meeting was called to order by President Dwain Rogers at 7:07 pm.

Member Attendees were:

Circle C – Russ Hodes
Estates of Loma Vista- Chuck Winkley
Granada Hills – David Richardson
Legend Oaks II – Jim Turney
Scenic Brook West – Richard McCain
South Windmill Run- Tom Thayer
Western Oaks – Randy Kolb

Covered Bridge – William Dabbert
G K Beckett Estates – Laura Faulk
Hill Country Estates- Charlsa Bentley
New Villages – Dwain Rogers
Sendera – Eric Steen
Westcreek – Sandy Baldrige
Westview Estates- Kevin Good

Guests:

Speakers:

Tom McDill: Independent Engineer Presented a schematic for a Children's Courtyard to be built at 5811 Southwest Parkway. This would be the first project to be constructed under the redevelopment ordinance passed by the City last year. Tom noted that there were road blocks to designing this project because the Hill Country Roadway Ordinance conflicted with parts of the Design Standards Ordinance. Mr. McDill asked for OHAN to pass a resolution recommending the project.

Jim Turney: Hill Country Quarry Park Mr. Turney brought up some of the awards which the park had received, but that the park needed to raise funds to match grant funds from the Austin Parks Foundation.

Business Meeting:

Fourteen member associations were in attendance. A quorum was present as seven associations were necessary to represent a quorum.

MINUTES

Minutes from the May, June, and July, meetings were approved.



NEW BUSINESS: President Dwain recognized our newest member, G K Becket Estates and their representative, Laura Faulk.

OLD BUSINESS:

- A) Discussion about the City Council Meeting of August 7, on the Neighborhood Plan approval process. The vote was postponed until August 21, 2008.
- Sec → B) Request from Beckett Estates (Laura Faulk) for that Neighborhood to be kept as RR
Sandy zoning and land use. There was a vote to support this change on the FLUM.
- Baldrige's C) Estates of Loma Vista offered a resolution in support of having the Water's be zoned SF-
email. 1 with a Conditional Overlay of maximum ½ acre lots. Resolution passed.
- D) Hill Country Estates offered a resolution pertaining to construction plans for the "Dream City" church, for OHAN's full support to oppose an outdoor amphitheater, and that access from Mowinkle never be used by the church for through traffic. Resolution was approved unanimously.
- E) Charlisa Bentley gave a brief explanation of events going on pertaining to Dream City.
- F) President Dwain gave a brief update on continuing dialog with the Clark Thomas law firm on the West Park PUD project.

President Dwain adjourned the meeting at 8:35 pm.

Respectfully submitted,

Sandra Baldrige, Secretary

Date

Approved:

Dwain Rogers, President

Date

RECEIVED
10/15/08

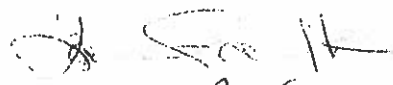
City Council Meeting, October 23, 2008

To Mayor and City Council Members: ^{FLUM}
We the undersigned are NOT in favor of any ~~zoning~~ changes to the Beckett Estates neighborhood bordered by McCarty Lane, Beckett Road, Ridge Oak Dr. and William Cannon. (Contested area AE) We support City Staff's and the Planning Commission's recommendations to keep this area ~~zoned~~ ^{designated} residential.

Signature

Printed Name


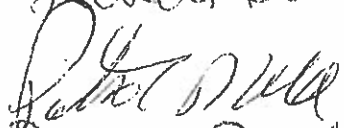

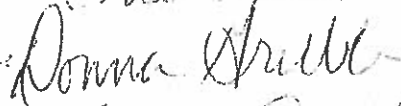
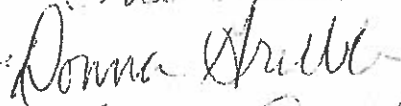
Address

| | | | |
|----|---|--------------------|-------------------|
| 1 |  | Thomas Anderson | 5415 Westview Rd |
| 2 | Regina Anderson | Regina Anderson | 5415 Westview Rd. |
| 3 | Dr. & Patricia Black | Patricia Black | 5601 Westview Rd. |
| 4 | Bill & Di Brophy | Bill & Di Brophy | 5712 Reynolds Rd |
| 5 | Thodore A. Miller | THEODORE A. MILLER | 5706 REYNOLDS RD |
| 6 | Carla W. Miller | CARLA W. MILLER | 5706 REYNOLDS RD |
| 7 | Mel & Shirley Camp | Mel & Shirley Camp | 6905 RIDGE OAK RD |
| 8 | James F. Hogen | James F. Hogen | 6509 Ridge Oak Rd |
| 9 | Mark Camp | Mark Camp | 6405 Ridge Oak Rd |
| 10 | Miguel Martinez | Miguel Martinez | 5713 Westview Rd |
| 11 | Ralph Border | Ralph Border | 5617 WESTVIEW |
| 12 | Scott Jansen | SCOTT Jansen | 5512 WESTVIEW RD. |
| 13 | Richard Holmes | Richard Holmes | 5512 Westview |
| 14 | Gene Faulk | Gene Faulk | 5504 Westview Rd. |

City Council Meeting, October 23, 2008

To Mayor and City Council Members:

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| Signature | Printed Name | Address |
|--|--------------------|----------------------------------|
| 14  | Ellen Godines | McCarty Lane |
| 15 Elia Stevens | Elia Stevens | corner of Ridge Oak/ Reynolds |
| 16 Linda King | Linda King | 5613 Westview |
| 17  | Patricia Miller | 5718 Reynolds Rd |
| 18 Patricia Bordie | PATRICIA BORDIE | 5617 WESTVIEW RD |
| 18 Susan Ballum | Susan Ballum | 5200 Westview |
| 19 Joe Wingo | Joe Wingo | 5712 Westview Rd |
| 19 Billie Wingo | Billie Wingo | 5212 Westview RD |
| 20 Eric Guerra  | | 5506 Westview RD |
| 21 Margaret Mock | Margaret Mock | 4606 Beckett Rd |
| Ralph Mock | Ralph Mock | 6606 Beckett Rd |
| 16 CE Williams | ELLEN WILLIAMS | 5613 Westview |
| WC Williams | WILLIAM C WILLIAMS | 5613 WESTVIEW |
| 22 Gina Nikolayevich | GINA NIKOLAYEVICH | 5716 Westview |
| 23  | Donna Grubb | 5416 Westview Rd |
| 24  | Donna Grubb | 6708 Beckett Rd |
| | LUKE GRUBB | 6708 BECKETT RD |

City Council Meeting, October 23, 2008

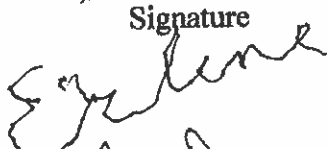

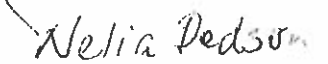


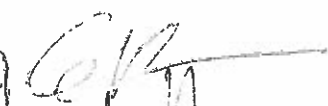
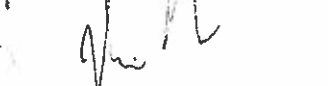


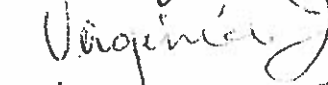
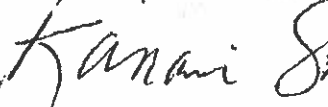
To Mayor and City Council Members:

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Signature

Printed Name

Address

| | | |
|--|-----------------------|--|
| 15  | Erlene Reynolds | 6607 Ridge Oak |
| 16  | Tim Dodson | 6701 Ridge Oak Rd. Austin, TX 78749 |
|  | Nelia Dodson | 6701 Ridge Oak Rd. Austin, TX 78749 |
| 27  | Joan Foster | 5711 Reynolds Rd, Austin, TX 78719 |
| 28  | Robert Brown | 5717 McCarty Ln Austin, TX 78749 |
| 29  | Gilberto M. Rodriguez | 5609 Reynolds Rd Austin, TX 78749 |
| 30  | John Norris | 5605 Reynolds Rd (Adult son of property owner) |
| 31  | Todd Bennett | 5605 McCarty Ln 78749 |
|  | Kelly Bennett | 5605 McCarty Ln 78749 |
| 32  | VIRGINIA JORDAN | 5513 McCarty 78749 |
| 33  | KANANI S. JAMES | 5609 McCarty 78749 |

